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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 MARK T. WARD,

9 Plaintiff,

10 v.

11 NANCY A. BERRYHILL, Acting Commissioner  
of Social Security,

12 Defendant.

CASE NO. C16-1977-MJP

**ORDER GRANTING MOTION FOR  
ATTORNEY FEES UNDER THE  
EQUAL ACCESS TO JUSTICE ACT,  
28 U.S.C. § 2412**

13 The Court, after careful consideration of the Report and Recommendation of the  
14 Honorable Brian A. Tsuchida, United States Magistrate Judge, and the balance of the record,  
15 does hereby find and **ORDER:**

16 (1) The Court adopts the Report and Recommendation.

17 (2) Mr. Ward's motion for attorney's fees under the Equal Access to Justice Act  
18 ("EAJA"), 28 U.S.C. § 2412 (Dkt. 17) is **GRANTED**. Mr. Ward is hereby awarded  
19 EAJA fees of \$7,543.00. If it is determined that Mr. Ward's EAJA fees are not subject to  
20 any offset allowed under the Department of the Treasury's Offset Program, then the  
21 check for EAJA fees, expenses, and costs shall be made payable to Mr. Ward's attorney  
22 Tha Win, based on Mr. Ward's assignment of these amounts to his attorney. Any check  
23 for EAJA fees shall be mailed to Mr. Ward's attorney, Tha Win, at 606 Maynard Avenue

1 South, Suite 201, Seattle, WA 98104.

2 (3) The Clerk shall provide copies of this Order to the parties and to Judge Tsuchida.

3 DATED this 28th day of February, 2018.

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6 Marsha J. Pechman  
7 United States District Judge  
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